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Unfairness to Jurymen Who Acquit.
For several weeks past in one of the United States courts in this city a criminal prosecution has been on trial in which a large number of coal dealers were accused of conspiracy to raise prices in unlawful restraint of trade. After receiving careful instructions as to the law applicable to the case from a Judge who is on all sides conceded to be competent and fair, the jury rendered a verdict of acquittal in favor of all the defendants. And now comes our esteemed contemporary the World, saying that nothing appeared to be wanting except a disposition to convict and accusing the jurors of having "practically made blank paper of the law."

If jurymen are to be assailed for the verdicts which they render by those who cannot possibly possess a knowledge of the facts sufficient to enable them to speak with authority, jury service will become more unpopular than ever. Exceptional care is exercised in selecting the jurors who serve in the Federal courts. The jurymen there are almost always men of intelligence and high character. A jury thus made up, whose members have carefully listened to the evidence in a case for weeks and have finally passed upon it under the guidance of a capable Judge, is more likely to be right than any newspaper critic. We believe in the power and usefulness of newspapers to the limit. They are essential to the liberty of the citizen and the freedom of the republic; but they should not substitute their verdict, in a case like this coal prosecution, for the verdict of the jurors who have enjoyed the important advantage of hearing the testimony upon which the Government asked for a conviction.

Anything which tends to weaken the jury system is a cause for regret. Good men will be reluctant to serve on juries if they are liable to abuse for the honest verdicts they feel bound to render. An eminent English Judge has declared that it is an honor and distinction to be on the jury list. This should be true in New York no less than in London. It will not be so long, if a verdict of acquittal in a case where a conviction has been expected is always to be followed by denunciation of the jurymen who have dared to do right, as they say the right, under the solemn sanction of their oath.

It will be a sorry day for the country when the juries in the Federal courts shall come to be like a court-martial, always organized to convict.

The Duty of Home Defence Leagues.
In several States Home Defence Leagues have been asked to take the places of soldiers in guarding public utilities. In most cases, if not in all, the organizations have felt obliged to refuse this service, and by some their refusal has been criticised as indicative of laziness or lack of patriotism.

Such strictures are unfair and undeserved. The Home Defence Leagues are composed largely of men untrained by years of physical for military duty, or of men whose obligations to their families render it impossible for them to devote all their time to any considerable period of it to active duty. They are organized for the purpose of assisting and supplementing the police and the sheriffs in maintaining order, should emergency arise. Those of them who possess any responsibility or authority in devolving on every citizen are special policemen or special marshals. They hold no military offices, and are not in the service of the State save as every citizen is in the service of the State.

As they derive their special authority from the municipal governments under which they live, they have no powers beyond the borders of their home settlements. Consequently the task of guarding public utilities now performed by regular and National Guardsmen, were it assumed by the Home Defence Leagues, would have to be performed by the units within the municipal organizations in which the property lies. A flourishing Home Defence League in a town inside of whose boundaries there was nothing to guard would escape or largely would die, while another in a town with numerous establishments which required guards would be at work all the time.

It would be unjust to the Home Defence Leagues and unsatisfactory to the public to call on them for duties they were not organized to perform. They have never set up to be professional soldiers or professional policemen, and no good can come of diverting them from their original purpose.

Bethmann-Hollweg Goes.
The resignation at last of Von BETHMANN-HOLLWEG and the appointment of MICHAELIS in his place as Chancellor are signs not discouraging to those who hoped for democratic advance in Germany. A man of the people, reputed to have had no connection with the Junkers, succeeds an important figure.

But the commentator upon German affairs is handicapped by the small amount of information obtainable and the doubtful authenticity of that. What Germany allows to leak out about the present "crisis" may be dispensed like the ink of the cuttlefish to obscure and darken the situation further.

Nothing short of a revolution can compel the Kaiser to abdicate against his will, and no action of a revolutionary character has been reported from Berlin. The health of Wilhelm might induce him prudently to lay aside his chief cares in favor of a son. The tradition of long life does not run in his family. His own constitution is not of the best, as is known to everybody. He has been under heavy strain for three years and has frequently been reported invalided from the front to some cure for nervous trouble. These facts will help to explain the perplexing rumor of his abdication in favor of Prince Joachim, the one son whose military services not even the court adulators have ventured to extol.

Young Oregon, Old Maine!
Eight States have the distinction of having ready before the draft 60 per cent, or more of the quota of men called for by the Government for the great army. We salute Oregon for winning the top of the list. When war was declared she had 2,424 men in her National Guard. Since then 2,250 of her sons have joined the guard and 1,974 have enlisted in the regular army, bringing her grand total to 6,657, or 90 per cent. of the quota of 7,387 set down as her just contribution. Webfoot is no name for Oregon, with only 717 men to be conscripted; call her the Volunteer State!

Good old Maine, coupled with Oregon in oratorical description, comes next with a percentage of 74. Rhode Island has 70, Wyoming 60, New Hampshire 68, Vermont, jeered at for the apparent slowness of her enlistments, is sixth on the roll of honor. Between April 1 and June 30 she added 1,111 men to her guard and enlisted 205 in the regular army. She needs only 1,049 men to fill her little quota of 3,243. Four of the six States at the top of the list are New England States, and Massachusetts, although not among the six, has a larger percentage of readiness than any of the other big States of the East. More than half of the Bay State's quota is provided.

Among the other populous States of the East and Middle West, New York does well with 43 per cent. In wartime guard enlistments she is the star State, having added 16,888 to a previous military strength of 23,495. In the building up of her militia New York is approached only by Ohio, with 14,129 new guardsmen, a fine showing. New York's score for enlistments in the regular army is 12,588, but in that line she is 800 behind the magnificent record of Pennsylvania.

For all of Chicago's sneers at New York, Illinois is behind this State and far behind her own neighbors in percentage of readiness. She has only 34 per cent. of her quota enlisted, while Indiana has 40, Ohio 41 and Iowa 50. Our own neighbors, New Jersey and Connecticut, have each 41 per cent. of their quota under arms.

There is a remarkable uniformity in the percentages of the Southern States:

State	Gross Quota	Already Enlisted	P. C. of Enlistment
Alabama	21,300	7,651	36
Arkansas	17,492	7,156	40
Florida	20,129	3,784	19
Georgia	27,209	8,829	32
Kentucky	22,161	7,878	35
Louisiana	18,481	8,867	48
Mississippi	16,429	5,600	34
N. Carolina	23,486	7,471	31
S. Carolina	16,147	8,040	50
Tennessee	22,158	7,592	34
Texas	48,116	17,488	36
Virginia	21,354	7,622	35

Who would have expected that the billibility would be more eager than the cavalier?

And why should Nebraska have only 40 per cent. of her quota under arms when Kansas has 63 per cent? Is the Depressing Influence, of those pacific manderings we hear so little now, still felt in his own State?

Politics in the Cooch Case.
District Attorney SWANN is represented as being disturbed over a report that in the Cooch case he has one eye on the cause of justice and the other on the possibility of helping Tammany and hurting fusion through the exposure of police dereliction. Mr. SWANN asserts that both his eyes are intent on justice, and politics is far from his mind.

Our opinion is that even the most thoroughgoing Tammany man—even CHARLES F. MURPHY or Sheriff FOLLY—does not so much as expect New York to restore the city government to the pre-war status of getting from Fourteenth street better police administration than it now gets from Centre street. The rottenness of Tammany in Mulberry street has not been forgotten; the day when police scandals

were the rule, and not the exception, has not passed from memory.

The people of New York have much to engage their attention and to occupy their minds. Their memories are short about some incidents of politics. But none of them has failed to observe the difference between honest police administration, which we now have, and Tammany administration, which we once had. The present management protects the public, sustains the honest policeman, and publishes the grater in blue uniform. The Tammany practice was to ignore the public, persecute honest policemen and bestow full protection on the crooks in the force. That was "The System," and New York will not eagerly reinstate "The System" in power.

A Lesson in Listening.
An article in the Musical Quarterly for July discusses the different types of listeners to music. Many persons at concerts cannot be said to listen at all; "ears have they but they hear not. Or, rather, they do hear, but without understanding; they are not listening for anything in particular and receive nothing in particular as their reward."

Others reap but a narrow reward. One listens for melody and catches its lilt, another is engrossed in the themes used by the composer, a third grasps contrapuntal effects, a fourth is concerned only with the harmonization or the orchestral treatment of various parts of the composition. A considerable number attend exclusively to the movements of the conductor's lifted arm and back.

The broadest division of listeners to music is between those who cannot, as the writer in the Quarterly says, hear the slow movement of BEETHOVEN'S Pastoral Symphony without seeing sheep feeding on a pleasant countryside and those to whom the evocation of such pictures from musical sounds is an improper sport. But this is an old and interminable controversy.

The suggestive thing is the implication that you hear only what you listen for. Isn't that measurably true of sounds not musical? Isn't it paralleled in the other senses? "Seek and ye shall find"; and we seldom see that which we don't know how to look for.

FRITZ KREISLER, the violinist, was exceptionally valuable to the Austrian army, for his accurate ear enabled him to analyze artillery fire, its nature, source, direction and range.

People look at fine paintings and buildings, listen to good music, drink rare beverages or smoke choice tobacco with confused impressions. With some experience they are able to tell the good from the bad in a very general way and to derive pleasure from the good; but their appreciation is forever limited and inadequate because, after all, they do not know what to look for, listen for, or savor nicely.

A person cannot get along in business without the practice of constantly increasing discrimination. How then can a person expect to make a success of living unless he practices discrimination outside the day's work?

The cultivation of the art of listening and the art of seeing would solve many of our perplexities. A politician is a person who is either mending fences or has his ear to the ground. Who will teach our politicians what to listen for? A statesman is a person who sees the signs of the times. Why should not a statesman learn to read them as well? There are primers for beginning readers and there are histories made for statesmen.

A pacifist is a person who wants peace at any price. Why, then, do pacifists bid up the price by hysterical methods?

The world at war with Germany wants Germany to reform herself within. On whether she will or not the duration of the war considerably depends. If we knew what to look for and for what voices to listen we should be able to estimate the nearness or remoteness of this possibility and to understand what is going on now in Berlin. We should be able to detect the approach of internal change.

Mr. Hoover's Price Comparison.
The attention of men in the grain and flour business was naturally commanded by Mr. HERBERT C. HOOPER'S report to the President on the present situation with regard to wheat.

This attention, and it must be added, the attention of many persons not professionally interested, relaxed somewhat when Mr. Hoover was found to be saying:

"No better proof of the hardship worked upon our people during the past year need be adduced than the recitation of the fact that the producer received an average of \$1.15 a bushel for the 1916 wheat harvest; yet wheat has been as high as \$3.25 at Chicago, and the price of flour has been from time to time based upon this speculative price of wheat, so that through one evil cause or another the consumer has suffered from 60 to 100 per cent., and the producer has gained nothing."

Mr. Hoover may require no better proof than this of the speculators' illiquities, but many of his auditors will. They will ask why he should compare an average price received by the producer of wheat with a high price in the Chicago market. Why not compare it with the average price of wheat at Chicago?

The necessary clarification of many confused and obscure points relating to food production and prices cannot result from such a comparison as Mr. Hoover makes. We have no idea whether a correct comparison of average prices would better Mr. Hoover's argument or not.

Or if it is desired to compare the highest price received by producers with the year's high price at Chicago, that is admissible and proper, though naturally not so representative as a comparison of averages.

Reichstag strikes to enforce compliance with demands.—Newspaper head-line.

Striking legislators are not unknown in this country.

The Belgian mission has been entertained by DAVID STARR JORDAN. We hope Dr. JORDAN told them about the horrors of war and the decadence of France.

If any Mexican bandit should raid Columbus, N. M., now and kidnap the latest additions to that historic burg's population the United States would send no punitive expedition across the border to rescue them.

Americans hit by stray bullets at Pekin.—Newspaper headline.

Even the Chinese cannot conduct a war without endangering neutrals.

The Western communities that are rounding up the I. W. W. mobs should be careful not to do anything in particular and receive nothing in particular as their reward.

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The House by the Pond.
Somewhere in the Alps, Maybe, is the Man Who Planted the Vine.

To the Editor of THE SUN.—Sir: On the railway to Montauban about half a mile of a beautiful little river, wooded on both sides. A swamp and a pond where lilies grow are in the foreground, making a picture such as an artist would enjoy. While the train waits there for a few moments in order to switch some goods and make a stop, you may see a railway tool house on one side of this pond and close to the track. A vine covered pergola is in front of the door and a very small Italian garden is at one side.

Nearly three years ago a strongly built young Italian laborer took possession of the tool house and made it his home, building his little bunk on the wall. He was there alone all summer.

In December we saw the smoke ascending from a stove pipe in the roof. At this time there was another man with him, a younger Italian. They had a rusty stove, a table, a chair, and one was cooking their evening meal while the other was washing dishes on the bank of the pond. While the train waited there the porter of our parlor car whistled and said "No mail!" The older Italian looked up, smiled and said "Gracias," waving his hand to the porter as the train moved on.

The next time we saw this man was upon a bleak March evening. The train stopped as usual opposite the little house and the Italian came running to the parlor car to get letters and mail from the porter. Summer came, and again our curiosity was aroused when we saw a man in a suit and bowler hat, a neat pergola in front of the door. A grapevine had been planted and was being trained to shade the pergola. A little cook stove was working overtime under a tree, and a small garden, arranged in the Italian manner for irrigation, was being cultivated by two men who were hoeing the ground where onions, peppers and tomato plants were growing. Our original Italian acquaintance was standing by, smoking his pipe and basking the job.

The porter told us that the man had grown to be a padrone as well as a railroad section boss. He had a wife and children in Italy, near Sorrento, and he was saving his money in order to bring them all to this country. Four men were boarding with him, and all five men slept in the tool house.

One evening last fall, while the train stopped longer than it usually did, the padrone received several letters, one in an official looking envelope, which he opened immediately. We heard him say, "Ah, I have to go."

"Where?" said the porter.

"To fight for my country," was the reply.

"I would not go if I were you," said the porter.

"Ah, signor, I have to go. If I do not go I can never go back to my country. My friends there would never speak to me—no know me any more. I could not look at my people any more. Not anybody."

When we passed next week the tool house was empty. The porter told us that his friend had taken twelve or fifteen men with him, all young Italians who had been working as laborers on the railway tracks.

We never see the vine, now covering the pergola, without wondering what has become of the patriot. D. C. T. QUONOU, July 14.

THE EAGLE'S REVERENCE.
Attempts to Find an Equivalent for the Old Bird's Cry.

To the Editor of THE SUN.—Sir: "Eat 'em up, Sammy!" "Eat 'em alive!" HOLYOKE, Mass., July 13.

France's Chanticleer Could Join in This.

To the Editor of THE SUN.—Sir: "Yankee Doodle Do!" G. W. BORD. NEW YORK, July 13.

"D. the K."

To the Editor of THE SUN.—Sir: I regret that I cannot lay claim to the origination of the slogan "D. the K." as the original, first and sole inventor thereof is a distinguished banker of this city, who has established the practice of stamping this pious wish upon his own correspondence and the checks, drafts and promissory notes of his customers.

JOCK.
NEW YORK, July 13.

Cultural but Sure to Be Understood.

To the Editor of THE SUN.—Sir: Not "Raus" but "Rrrraus!" It can be uttered with the fiercest and grimmest determination. AMERICAN. BRIMFORD, Mass., July 13.

SHIPS AND MEN.
A despatch from Boston tells of the sharp demand for ships, a demand so great that the whaling bark Andrew Hicks of New Bedford, built at Fairhaven in 1887, has just been sent to foreign account. The good bark will carry cargoes customarily borne by steamships.

All along the Atlantic coast the old windjammers are sought after. Disbanded and made into coal hulks and their shapeliness half concealed by a black smudge, we see them pounced upon and sent to the yards for overhauling and refitting. Beneath the dirt are sound oaken planks and fine steeple lines that spell swift sailing. All that is needed is paint, sticks and top hamper. For the ships were articles of crabs born; given them their due and all will acknowledge it. They are the Cinderellas of the sea.

But where are the men to be found to man them?

Ship's officers there are and a plenty in the making. But crews? A few years ago England was full of sailors. Any vessel could choose and pick a dozen from a hundred men. Not so now. These fellows are fighting in France or go to and fro in the North Sea on warships or in U-boat barriers. American ports have never afforded so much material for the focal as those of Britain.

The worst of it is that steamships have ruined seamanship. There are thousands of men who can wash decks or clean paintwork or perch in the crow's nest of a steamship whose uselessness on a windjammer is pitiful. They can't steer a boat or steer, and are therefore not able seamen, whatever their discharge books may say. Could one of these take the weather earring in a topsail squall? He would be helpless even if he did not come down by the run, that is, tumble to the deck or into the sea. No more could he swim. If you told him to catch the lead of the mizzen royal he would not comprehend a word. Fancy such a man at the wheel of a full rigged ship which had suddenly to be worn around with all hands at the braces, bellows, confusion, and the ship would be lost.

Now a sailing ship has upward of twenty sails generally, not counting staysails but counting the headsails. For each yard there are lifts and braces, for each square sail there are clewlines and buntlines. The number of ropes is amazing, and most of them come down to the pinrail and are belayed side by side, presenting a Chinese puzzle to the ordinary beholder. Their identity is not any clearer to the chap who has sailed under steam than to the fellow who has sailed under sail on a dark night, a matter of five inches one way or the other, may cost a man's life.

Sails preceded steam and a knowledge of the work on a sailing vessel is the only proper foundation for the command of a steamship. The extraordinary condition brought about by the war results in the training of some thousands of real sailors a great good will have been accomplished, not merely in the reviving of ancient craft and skill but in the restoration of a wonderful environment which has been destroyed, as it appeared, forever.

The life of steamships fails to inculcate the lessons that the sea is capable of teaching. It is one thing to pick your way easily through the Strait of Magellan and another to get out of the Gulf of Mexico and into the Gulf of Mexico. To be able to strike straight across the Atlantic for your goal is a deceptive business, but when you have courted the favor of the winds of the Western Ocean, measuring your progress by the stars at night and by the compass by day, you have a proper respect for the natural forces about you. You come out of it with no contemptuous idea that you can force directly ahead for life's objectives. You know that you must use strategy, skill, persuasion, that you must seize upon every accidental advantage for a flitting gain. And you know that the deeper, subtler, surer.

Your knowledge of people is profounder too. A few men leagued together and struggling for a common end in the midst of a great loneliness, surrounded by the elements of destruction, and the human virtues are seen to be few and are found surprisingly to exist in nearly every man. The frontiers of continents vanish and with them their heroes, but the sea is a perpetual frontier.

The Old Sailors.
From the Nation's Business for July.

We strong bronzed men of other days sail the sea in the old-fashioned clipper. From the gray Aleutian Islands to the sultry Caribbean, and our lean Nantucket skippers in their tall and sleek clipper boats, the bitter waters boldly with no ally but the breeze.

The spile that circled every port knew well our tankers' sails. Our hulls bore home strange treasures and our decks were high with bales. And the Stars and Stripes were flaunted with the fancy states and nations. As we held our courses proper through the billiards and the gales.

But ye that go to sea to-day—where is the trade we built?

The heritage ye scorn was earned by sweat and blood we spilt. Blow your lazy floating manna! With the fancy states and nations Are they true seagoing traders or rotten times' gilt?

Yet you your fathers' children are—our blood throbs in your veins; You'll break the sloth that bound you with its lullabying skeins. And your souls shall know the wonder Of the sonorous sea's thunder As you plough the ancient oceans in the highways and the lanes.

RICHARD F. HAMILL.

A Long Range Guess at the Plant on the Hackensack Meadow Ditches.

To the Editor of THE SUN.—Sir: In THE SUN there is a query by "Westwooder" as to the nature of the vegetation growing on the edges of the drainage ditch in the meadow below Carlsbad, N. J. Although I have not seen the vegetation mentioned, I should suggest, from "Westwooder's" description, that it is nothing more or less than a certain plant called rush radicans, commonly known as poison ivy. It grows on the edges of streams and rivers and is very similar in appearance to Virginia creeper, but the leaves are smooth edged, whereas the innocuous Virginia creeper's leaves are more or less indented. It will grow almost anywhere, but its especial habitat is on the edges of river banks. ANTI RABUS. BROOKLYN, July 14.

MRAVLAG IN THE DRAFT.
Protest Against Elizabeth's Mayor as a Member of the Exemption Board.

To the Editor of THE SUN.—Sir: Attached is a copy of a letter written to Provost Marshal General Crowder, A. A. BRYAN HUNTER. NEW YORK, July 14.

To the Provost Marshal General, Provost Marshal General Crowder, Washington, D. C.

Honorable Sir: At a meeting in the Tenth Ward at Elizabeth, N. J., on the Fourth of July a Tag was presented by Mr. Woodruff, and Mayor Marking of Elizabeth refused to accept it on account of the tenor of Mr. Woodruff's remarks at the presentation. It appears that Mr. Woodruff's remarks were to quite an extent derogatory to our country. The Mayor, I understand, is of Austrian extraction.

In view of the action of a party of citizens of considerable size denouncing the Mayor's action I have no doubt that Mr. Woodruff's remarks should not have called for a refusal on the part of the Mayor to accept the tag. On the ground that the Mayor is a member of the exemption board, and hence subject to draft, should have the right to object to our selection being made by any board a member of which is an American in sentiment or expression, I wish to ask the Mayor to resign from the exemption board of Elizabeth and that his place be filled by a man of more evidently American tendencies.

I feel the more privileged in the matter because as nearly as I can tell from the information given to the public up to the present I shall not be called upon to make a communication of this nature or if you will be kind enough to forward it direct.

With thanks for your consideration in the matter, I beg to remain, Yours most sincerely, A. BRYAN HUNTER. NEW YORK, July 14.

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To the Editor of THE SUN.—Sir: On the railway to Montauban about half a mile of a beautiful little river, wooded on both sides. A swamp and a pond where lilies grow are in the foreground, making a picture such as an artist would enjoy. While the train waits there for a few moments in order to switch some goods and make a stop, you may see a railway tool house on one side of this pond and close to the track. A vine covered pergola is in front of the door and a very small Italian garden is at one side.

Nearly three years ago a strongly built young Italian laborer took possession of the tool house and made it his home, building his little bunk on the wall. He was there alone all summer.

In December we saw the smoke ascending from a stove pipe in the roof. At this time there was another man with him, a younger Italian. They had a rusty stove, a table, a chair, and one was cooking their evening meal while the other was washing dishes on the bank of the pond. While the train waited there the porter of our parlor car whistled and said "No mail!" The older Italian looked up, smiled and said "Gracias," waving his hand to the porter as the train moved on.

The next time we saw this man was upon a bleak March evening. The train stopped as usual opposite the little house and the Italian came running to the parlor car to get letters and mail from the porter. Summer came, and again our curiosity was aroused when we saw a man in a suit and bowler hat, a neat pergola in front of the door. A grapevine had been planted and was being trained to shade the pergola. A little cook stove was working overtime under a tree, and a small garden, arranged in the Italian manner for irrigation, was being cultivated by two men who were hoeing the ground where onions, peppers and tomato plants were growing. Our original Italian acquaintance was standing by, smoking his pipe and basking the job.

The porter told us that the man had grown to be a padrone as well as a railroad section boss. He had a wife and children in Italy, near Sorrento, and he was saving his money in order to bring them all to this country. Four men were boarding with him, and all five men slept in the tool house.

One evening last fall, while the train stopped longer than it usually did, the padrone received several letters, one in an official looking envelope, which he opened immediately. We heard him say, "Ah, I have to go."

"Where?" said the porter.

"To fight for my country," was the reply.

"I would not go if I were you," said the porter.

"Ah, signor, I have to go. If I do not go I can never go back to my country. My friends there would never speak to me—no know me any more. I could not look at my people any more. Not anybody."